

## **Report of the August 4 UST Cleanup Program Task Force Meeting**

1. A Road Map proposed by the planning team was discussed:

- Guiding question: “How to properly close a site?”
- Focus conversations in three areas:
  1. Human Health and Safety
  2. Groundwater
  3. Administration and accountability
- Today (Aug 4): Break out into these three areas to begin developing recommendations for changing the cleanup program
- Next taskforce meeting(s):
  - Proposed 3-day meeting with one day devoted to each of the focus areas to develop recommendations, or
  - 3 one-day meetings?
  - Frequency of meetings?

The group decided to proceed with today’s agenda and see where it wanted to go next at the end of the meeting.

2. A number of documents had been submitted to staff by different task force members. Staff had distributed these documents to the entire task force by email, and printouts of these (with one exception, due to length) were handed out to everyone present at the meeting. Those present who had submitted documents gave a quick summary of their document to the group.

3. Notes from the July 8 Task Force Meeting were distributed to the group and reviewed in order to have them available for today’s discussions.

4. The current regulations for UST cleanup, Article 11, were handed out to the group. Kevin Graves explained how these related to the way the program is currently administered. It was suggested that the group consider these regulations and any useful changes during their discussions and breakout sessions today.

5. The group self-organized, using an Open Space Technology format, into three successive rounds of breakout groups keeping these areas of UST cleanup in mind:

- Human health and safety (RBCA and Risk-Based Cleanup)
- Groundwater
- Administration and accountability

Each group discussed improvements to the UST program that could be fashioned into recommendations to the Water Board. The groups were asked to prepare a summary of their work that would fit on one flip chart sheet.

The group organized into the following breakout groups spread over three approximately one-hour sessions. Members of the public sat in on or observed various sessions.

Session 1:

- Pros and Cons of Changing: Statutes, Regulations, Policy
- Beyond Risk: Property Value, Heirs and Successors, Rights & Responsibility
- Role of Basin Plans in Protecting Human Health and Safety
- Accountability and Administrative – Specific Recommendations

Session 2:

- Combine Health, Env and Water into One
- Groundwater “Non-Degradation” Policy

Session 3:

- Informal Dispute Resolution
- Revised Article 11 Table of Contents
- Roles

After each one-hour session, each breakout group reported back to the task force and members of the public, and the reports were discussed by the whole.

6. At the end of the breakout sessions, the one-page summary reports were put on the wall and the group discussed how to move forward. It was decided that the following committees would be formed to work on proposals for the next task force meeting. The committees are:

1. Closure Resolution – Combined RB Approach. A proposal for immediately improving the program under existing regulations and laws. This committee is headed up by Ravi Arulanantham, [ravi.arulanantham@amec.com](mailto:ravi.arulanantham@amec.com), 510-663-4130
2. Beyond Risk. A look at addressing cleanup from a perspective that goes beyond simple risk assessment and considers property values and other considerations. This group is headed up by Markus Niebanck, [markus@amicusenv.com](mailto:markus@amicusenv.com), 510-839-4000 xt 234
3. Accountability and Administration. Specific proposals for improving administration and accountability in the cleanup program This committee is headed up by Rose Coughlin, [racough@pacbell.net](mailto:racough@pacbell.net), 818-261-1507
4. Dispute Resolution. Developing an informal dispute resolution process. Headed by Peter Niemiec, [peter@peterniemiec.com](mailto:peter@peterniemiec.com), 310-546-7147
5. Revising Article 11. Proposals for long-range changes in the cleanup program based on changes to the cleanup regulations described in Article 11. This group is headed up by Bob Schultz, [Robert.Schultz@amec.com](mailto:Robert.Schultz@amec.com), 510-663-4100

7. The group decided to meet again for another one-day task force meeting on September 1st. Between now and then, the committees will meet and prepare reports for the next task force meeting. (It was stated that committees would need to adhere to Bagley-Keene regulations; committee meetings need to be publicly noticed 10 days in advance –

effectively, 12 days because staff requires two days in order to get a meeting posted.) The next meeting will be used to address committee recommendations and decide on next steps.

The meeting was adjourned.